

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

United States of America,	:	Case No. 1:07-CR-060-03
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
Paul H. Volkman,	:	
	:	
Defendant.	:	

ORDER

Following the hearing held on February 13, 2012 to address counsels' motion to withdraw, the Court considered Defendant's request to obtain transcripts of all the sidebar conferences that were conducted during Defendant's trial. Defendant asserted a need for these transcripts in order to prepare for his sentencing, at which he will be proceeding pro se.

The subjects that were addressed at the sidebar conferences during trial dealt with scheduling issues of various types; issues regarding members of the jury; and arguments on the admissibility of evidence. None of these subjects have any relevance to the issues that will be before the Court concerning Defendant's sentence. Those issues are identified in 18 U.S.C. §3553 and include: the nature and circumstances of the offense and the history and characteristics of the defendant; the need for the sentence imposed to reflect the seriousness of the offense, to promote respect for the law, to provide just

punishment for the offense, to adequately deter criminal conduct, to protect the public from further crimes of the defendant, and to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner; the kinds of sentences available; the types of sentences and the sentencing range established by the Sentencing Guidelines; the need to avoid unwarranted sentence disparities among similarly-situated defendants; and the need for restitution to be provided to any victims. The Court concludes that issues discussed at sidebar conferences are not relevant to these questions, and any objection Defendant may wish to raise to any of the Court's evidentiary rulings are properly reserved for his appeal.

Therefore, upon further review of Defendant's asserted need, his request for transcripts of the sidebar conferences is DENIED.

SO ORDERED.

DATED: February 13, 2012

s/Sandra S. Beckwith

Sandra S. Beckwith

Senior United States District Judge